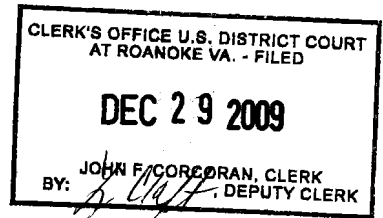


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



ROBERT CARSWELL,
Petitioner,

v.

WARDEN TERRY O'BRIEN, et al.,
Respondents.

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Civil Action No. 7:09-cv-00160

ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that USP Lee is **TERMINATED** as a respondent; respondent's motion for summary judgment (docket #15) is **GRANTED**; petitioner's time credit claims are **DISMISSED without prejudice** for failing to exhaust administrative remedies; petitioner's remaining claims are **DISMISSED**; all pending motions are **DENIED as moot**; and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 29th day of December, 2009.


Senior United States District Judge